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**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:07-cv-00048-RBW**

CITIZENS FOR RESPONSIBILITY AND ETHICS IN
WASHINGTON v. NATIONAL ARCHIVES AND RECORDS
ADMINISTRATION

Assigned to: Judge Reggie B. Walton
Cause: 05:552 Freedom of Information Act

Date Filed: 01/10/2007
Date Terminated: 06/08/2010
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**CITIZENS FOR RESPONSIBILITY
AND ETHICS IN WASHINGTON**

represented by **Anne L. Weismann**
CITIZENS FOR RESPONSIBILITY AND
ETHICS IN WASHINGTON
1400 Eye Street, NW
Suite 450
Washington, DC 20005
(202) 408-5565 Ext. 108
Fax: (202) 588-5020
Email: aweismann@citizensforethics.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kimberly D. Perkins
CITIZENS FOR RESPONSIBILITY AND
ETHICS IN WASHINGTON
1400 I Street, NW
Suite 450
Washington, DC 20005
(202) 408-5565 X 111
ATTORNEY TO BE NOTICED

Defendant**NATIONAL ARCHIVES AND
RECORDS ADMINISTRATION**represented by **W. Scott Simpson**

U.S. DEPARTMENT OF JUSTICE
Post Office Box 883
20 Massachusetts Avenue, NW
Room 7210
Washington, DC 20044
(202) 514-3495
Fax: (202) 616-8470
Email: scott.simpson@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael P. Abate

U.S. DEPARTMENT OF JUSTICE
20 Massachusetts Avenue, NW
Washington, DC 20001
(202) 616-8209
Email: michael.abate@usdoj.gov
TERMINATED: 04/03/2008

Date Filed	#	Docket Text
01/10/2007	<u>1</u>	COMPLAINT against NATIONAL ARCHIVES AND RECORDS ADMINISTRATION (Filing fee \$ 350 receipt number 4616001444.)filed by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON. (Attachments: # <u>1</u> Exhibit # <u>2</u> Civil Cover Sheet)(jf,) (Entered: 01/12/2007)
01/10/2007		SUMMONS (3) Issued as to NATIONAL ARCHIVES AND RECORDS ADMINISTRATION, U.S. Attorney and U.S. Attorney General (jf,) (Entered: 01/12/2007)
01/25/2007		Case Reassigned to Judge Reggie B. Walton. Judge Ricardo M. Urbina no longer assigned to the case. (Case related to CA-06-1912). (jf,) (Entered: 01/25/2007)
02/12/2007	<u>2</u>	ANSWER to Complaint by NATIONAL ARCHIVES AND RECORDS ADMINISTRATION. Related document: <u>1</u> Complaint filed by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON,,(Abate, Michael) (Entered: 02/12/2007)
03/28/2007	<u>3</u>	Joint MOTION to Establish a Briefing Schedule by NATIONAL ARCHIVES AND RECORDS ADMINISTRATION (Abate, Michael) (Entered: 03/28/2007)

04/11/2007	4	ORDER granting 3 Joint Motion for Briefing Schedule. Signed by Judge Reggie B. Walton on 4/11/07. (lcrbw2) (Entered: 04/11/2007)
04/11/2007		Set/Reset Deadlines: Summary Judgment motions due by 5/7/2007.,Response to Motion for Summary Judgment due by 6/6/2007.,Reply to Motion for Summary Judgment due by 6/21/2007. (mpt,) (Entered: 04/11/2007)
05/07/2007	5	MOTION for Summary Judgment by NATIONAL ARCHIVES AND RECORDS ADMINISTRATION (Attachments: # 1 Declaration of Gary M. Stern# 2 Decl. Tabs A - F# 3 Decl. Tab G (Vaughn Index)# 4 Text of Proposed Order)(Abate, Michael) (Entered: 05/07/2007)
06/06/2007	6	NOTICE of Appearance by Kimberly D. Perkins on behalf of CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON (Perkins, Kimberly) (Entered: 06/06/2007)
06/06/2007	7	Memorandum in opposition to re 5 MOTION for Summary Judgment <i>and Cross-Motion for Summary Judgment</i> filed by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON. (Attachments: # 1 Supplement Plaintiff's Cross-Motion for Summary Judgment# 2 Supplement Plaintiff's Response to Defendant's Statement of Material Facts# 3 Statement of Facts Plaintiff's Rule 7(H) Statement of Material Facts# 4 Text of Proposed Order Plaintiff's Proposed Order)(Perkins, Kimberly) (Entered: 06/06/2007)
06/06/2007	8	Cross MOTION for Summary Judgment by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON. (See Docket Entry 7 to view documents). (nmw,) (Entered: 06/07/2007)
06/08/2007	9	MOTION to Amend/Correct 7 Memorandum in Opposition,, <i>Proposed Order</i> by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON (Attachments: # 1 Text of Proposed Order Plaintiff's Proposed Order)(Perkins, Kimberly) (Entered: 06/08/2007)
06/13/2007		MINUTE ORDER granting 9 Motion to Amend/Correct. The plaintiff's amended proposed order filed contemporaneously with its Motion to Amend/Correct is deemed filed. Signed by Judge Reggie B. Walton on 6/13/07. (lcrbw2) (Entered: 06/13/2007)
06/21/2007	10	REPLY to opposition to motion re 5 MOTION for Summary Judgment filed by NATIONAL ARCHIVES AND RECORDS ADMINISTRATION. (Attachments: # 1 Supplemental Declaration of Gary M. Stern# 2 Declaration of Steven G. Bradbury# 3 Declaration of Latita M. Huff)(Abate, Michael) (Entered: 06/21/2007)

06/21/2007	<u>1</u> <u>1</u>	Memorandum in opposition to re 8 MOTION for Summary Judgment filed by NATIONAL ARCHIVES AND RECORDS ADMINISTRATION. (Attachments: # <u>1</u> Supplemental Declaration of Gary M. Stern# <u>2</u> Declaration of Steven G. Bradbury# <u>3</u> Declaration of Latita M. Huff)(Abate, Michael) (Entered: 06/21/2007)
06/27/2007	<u>1</u> <u>2</u>	Consent MOTION for Extension of Time to File Response/Reply <i>in support of Plaintiff's Cross-Motion for Summary Judgment</i> by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON (Attachments: # <u>1</u> Text of Proposed Order)(Perkins, Kimberly) (Entered: 06/27/2007)
07/02/2007		MINUTE ORDER granting <u>12</u> Motion for Extension of Time to File Response/Reply. The plaintiff shall reply to the defendant's Memorandum of Points and Authorities in Support of defendant's Opposition to plaintiff's Cross-Motion for Summary by July 6, 2007. Signed by Judge Reggie B. Walton on 7/2/07. (lcrbw2) (Entered: 07/02/2007)
07/05/2007		Set/Reset Deadlines: Reply to memorandum of points and authority due by 7/6/2007. (mpt,) (Entered: 07/05/2007)
07/05/2007	<u>1</u> <u>3</u>	REPLY to opposition to motion re 8 MOTION for Summary Judgment filed by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON. (Perkins, Kimberly) (Entered: 07/05/2007)
03/28/2008	<u>1</u> <u>4</u>	ORDER granting in part and denying in part <u>5</u> Motion for Summary Judgment; granting in part and denying in part 8 Motion for Summary Judgment. Signed by Judge Reggie B. Walton on 3/28/08. (lcrbw2) (Entered: 03/28/2008)
04/03/2008	<u>1</u> <u>5</u>	NOTICE OF SUBSTITUTION OF COUNSEL by W. Scott Simpson on behalf of NATIONAL ARCHIVES AND RECORDS ADMINISTRATION Substituting for attorney Michael P. Abate (Simpson, W.) (Entered: 04/03/2008)
09/29/2008	<u>1</u> <u>6</u>	AMENDED ORDER. The defendant's motion for summary judgment is granted in part and denied in part. The plaintiff's cross-motion for summary judgment is granted in part and denied in part. Within thirty days from the date this Order was issued, the defendant shall provide a supplemental submission with a more detailed explanation in support of its withholding of document 3 pursuant to Exemption 5 of the Freedom of Information Act, 5 U.S.C. § 552 (2000). Signed by Judge Reggie B. Walton on 09/29/08. (lcrbw2) (Entered: 09/29/2008)
09/29/2008	<u>1</u> <u>7</u>	MEMORANDUM AND OPINION. In accordance with the Court's accompanying Amended Order of September 29, 2008, the parties' motions are denied in part and granted in part. Signed by Judge Reggie B. Walton on 09/29/08. (lcrbw2) (Entered: 09/29/2008)

10/14/2008	<u>1</u> <u>8</u>	Joint MOTION for Correction of Court Order and Deferral of Compliance Date re <u>16</u> Order,, <u>17</u> Memorandum & Opinion by NATIONAL ARCHIVES AND RECORDS ADMINISTRATION (Simpson, W.) (Entered: 10/14/2008)
10/28/2008	<u>1</u> <u>9</u>	ORDER granting <u>18</u> Motion for Correction of Court Order and Deferral of Compliance Date. The corrected order states as follows: The defendant's motion for summary judgment is granted in part and denied in part. The plaintiff's cross-motion for summary judgment is granted in part and denied in part. The defendant shall provide a supplemental submission with a more detailed explanation in support of its withholding of document 3 pursuant to Exemption 5 of the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552 (2000). Documents 5 and 7 were properly withheld pursuant to Exemption 5 of the FOIA. The defendant shall submit documents 12-15, 16-18, 18a, 24, 26-27, and 29-30 to the Court for its in camera review. Document 31 was properly withheld pursuant to Exemption 5 of the FOIA. Documents 34-46, 48-49, 51 and 53-60 were properly withheld pursuant to Exemption 5 of the FOIA. The defendant's search pursuant to the FOIA was adequate. The defendant shall comply with what is required pursuant to this Order within thirty days from the date this Order was issued. Signed by Judge Reggie B. Walton on 10/28/08. (lcrbw2) (Entered: 10/28/2008)
10/28/2008	<u>2</u> <u>0</u>	MEMORANDUM AND OPINION. This revised memorandum and opinion corresponds with the Court's October 28, 2008 revised order <u>19</u> . Signed by Judge Reggie B. Walton on 10/28/08. (lcrbw2) (Entered: 10/28/2008)
11/26/2008	<u>2</u> <u>1</u>	NOTICE of Filing and In Camera Submission by NATIONAL ARCHIVES AND RECORDS ADMINISTRATION re <u>19</u> Order on Motion for Miscellaneous Relief,,,, (Attachments: # <u>1</u> Second Supplemental Declaration of Gary M. Stern)(Simpson, W.) (Entered: 11/26/2008)
06/07/2010	<u>2</u> <u>2</u>	ORDER. This Order supplements the Court's October 28, 2008 Amended Order granting in part and denying in part the parties' cross-motions for summary judgment. This is now a final appealable order. For the reasons set forth in the accompanying Supplemental Memorandum Opinion, it is hereby ORDERED that because the Court finds that documents 12-15, 16-18, 18a, 24, 27, and 29-30 are properly withheld pursuant to the attorney work-product privilege of Exemption 5 of the FOIA, and documents 3 and 26 are properly withheld pursuant to the deliberative process privilege of Exemption 5 of the FOIA, the defendant's motion for summary judgment is GRANTED and the plaintiff's cross-motion for summary judgment is DENIED. Signed by Judge Reggie B. Walton on 06/07/10. (lcrbw2) (Entered: 06/07/2010)
06/07/2010	<u>2</u> <u>3</u>	MEMORANDUM AND OPINION. This Memorandum Opinion accompanies the Court's June 7, 2010 Supplemental Order. Signed by Judge Reggie B. Walton on 06/07/10. (lcrbw2) (Entered: 06/07/2010)

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